

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 NEIMAN NIX,

9 Plaintiff,

10 v.

11 KYLE BODDY, *et al.*,

12 Defendants.

NO. C18-992RSL

ORDER GRANTING DEFENDANTS
LEAVE TO SUBSTITUTE EXPERTS

13
14 This matter comes before the Court on defendants' "Motion for Leave to Disclose
15 Additional Expert Report." Dkt. # 73. Defendants' original expert notified defendants in
16 September that he was not prepared to testify at trial in this matter. Defendants immediately
17 located a replacement expert, Michael W.L. Sonne, Ph.D., provided Dr. Sonne's report to
18 plaintiff, and filed this motion for leave to substitute experts. Having reviewed the memoranda,
19 declaration, and exhibits submitted by the parties, the Court finds good cause under Fed. R. Civ.
20 P. 16(b)(4) to modify the case management schedule and allow the substitution of experts. Any
21 potential prejudice the substitution might cause plaintiff can be ameliorated by providing
22 additional time in which to depose Dr. Sonne and to obtain a rebuttal expert if plaintiff so
23 chooses.
24
25
26

27 ORDER GRANTING DEFENDANTS
28 LEAVE TO SUBSTITUTE EXPERTS - 1

1 Defendants' motion for leave to disclose Dr. Sonne's report after the expert disclosure
2 deadline had passed is GRANTED. An amended case management schedule will be issued to
3 allow plaintiff to evaluate and, if necessary, rebut Dr. Sonne's newly-disclosed opinions.
4

5 DATED this 18th day of November, 2019.

6 
7

8 Robert S. Lasnik
9 United States District Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27